

over Bays et al. Claims 9, 11, 12, 14 and 15 were rejected under 35 U.S.C. § 103 as being unpatentable over Bays et al. in view of U.S. Patent No. 4,728,238 issued to Chisholm et al. on March 1, 1988.

Please amend the Application as follows:

IN THE CLAIMS:

Cancel claim 14.

Please amend the claims as follows:

9. (amended) A tissue rivet made of [an absorbable]
10 a bioabsorbable material comprising a single hollow shaft, said hollow shaft having a truncated conical head at its front end, and a flexible member at its rear end, said flexible member having a diameter larger than the diameter of said hollow shaft and capable of deforming so as to conform to the angle of the
15 tissue and the rivet and capable of deforming so as to conform to the surface of the tissue in which said rivet is inserted, said hollow shaft having a plurality of spaced, [individual] separate, flexible projections extending radially from said hollow shaft [along substantially the length of said shaft], each of said
20 plurality of flexible projections capable of flexing toward said shaft when being inserted in the tissue and extending at a height from said shaft, said height being a dimension larger than the largest dimension of the head of said shaft, each of said
plurality of flexible projections having an apex at a maximum
25 height from said shaft, the apex of consecutive said flexible projections being spaced at a distance equal to less than said maximum height, to hold two pieces of tissue together and to prevent movement of said rivet in the tissue.

In claim 11, line 1: delete "including" and after "9"
30 insert --in combination with--;

In claim 12, line 1: after "the" insert --combination
driving means and --;

In claim 15, line 1: replace "13" with --9--;